



[7590-01-P]

## NUCLEAR REGULATORY COMMISSION

[NRC-2012-0293]

### Initial Test Programs for Water-Cooled Nuclear Power Plants

**AGENCY:** Nuclear Regulatory Commission.

**ACTION:** Draft regulatory guide; request for comment.

**SUMMARY:** The U.S. Nuclear Regulatory Commission (NRC) is issuing for public comment draft regulatory guide (DG), DG-1259, "Initial Test Programs for Water-Cooled Nuclear Power Plants." This guide describes the general scope and depth that the staff of the NRC considers acceptable for Initial Test Programs (ITPs) for light water cooled nuclear power plants.

**DATES:** Submit comments by January 31, 2013. Comments received after this date will be considered if it is practical to do so, but the NRC is able to ensure consideration only for comments received on or before this date. Although a time limit is given, comments and suggestions in connection with items for inclusion in guides currently being developed or improvements in all published guides are encouraged at any time.

**ADDRESSES:** You may access information and comment submissions related to this document, which the NRC possesses and are publically available, by searching on <http://www.regulations.gov> under Docket ID **NRC-2012-0293**. You may submit comments by any of the following methods:

- **Federal Rulemaking Web site:** Go to <http://www.regulations.gov> and search for Docket ID **NRC-2012-0293**. Address questions about NRC dockets to Carol Gallagher; telephone: 301-492-3668; e-mail: [Carol.Gallagher@nrc.gov](mailto:Carol.Gallagher@nrc.gov).

- **Mail comments to:** Cindy Bladey, Chief, Rules, Announcements, and Directives Branch (RADB), Office of Administration, Mail Stop: TWB-05-B01M, U.S. Nuclear Regulatory Commission, Washington, DC 20555-0001.

- **Fax comments to:** RADB at 301-492-3446.

For additional direction on accessing information and submitting comments, see “Accessing Information and Submitting Comments” in the SUPPLEMENTARY INFORMATION section of this document.

**FOR FURTHER INFORMATION CONTACT:** Frank Talbot, Office of New Reactors, U.S. Nuclear Regulatory Commission, Washington, DC 20555-0001; telephone: 301-415-3146 or e-mail: [Frank.Talbot@nrc.gov](mailto:Frank.Talbot@nrc.gov).

## **SUPPLEMENTARY INFORMATION:**

### **I. Accessing Information and Submitting Comments**

#### **A. Accessing Information**

Please refer to Docket ID **NRC-2012-0293** when contacting the NRC about the availability of information regarding this document. You may access information related to this document by any of the following methods:

- **Federal Rulemaking Web site:** Go to <http://www.regulations.gov> and search for Docket ID **NRC-2012-0293**.

- **NRC's Agencywide Documents Access and Management System (ADAMS):**

You may access publicly available documents online in the NRC Library at

<http://www.nrc.gov/reading-rm/adams.html>. To begin the search, select "[ADAMS Public Documents](#)" and then select "[Begin Web-based ADAMS Search](#)." For problems with ADAMS, please contact the NRC's Public Document Room (PDR) reference staff at 1-800-397-4209, 301-415-4737, or by e-mail to [pdr.resource@nrc.gov](mailto:pdr.resource@nrc.gov). The draft regulatory guide is available electronically under ADAMS Accession No. ML12298A071. The regulatory analysis may be found under ADAMS Accession No. ML12298A073.

Regulatory guides are not copyrighted, and NRC approval is not required to reproduce them.

- **NRC's PDR:** You may examine and purchase copies of public documents at the NRC's PDR, Room O1-F21, One White Flint North, 11555 Rockville Pike, Rockville, Maryland 20852.

## B. Submitting Comments

Please include Docket ID **NRC-2012-0293** in the subject line of your comment submission, in order to ensure that the NRC is able to make your comment submission available to the public in this docket.

The NRC cautions you not to include identifying or contact information that that you do not want to be publicly disclosed in your comment submission. The NRC will post all comment submissions at <http://www.regulations.gov> as well as enter the comment submissions into ADAMS. The NRC does not routinely edit comment submissions to remove identifying or contact information.

If you are requesting or aggregating comments from other persons for submission to the NRC, then you should inform those persons not to include identifying or contact information that they do not want to be publicly disclosed in their comment submission. Your request should state that the NRC does not routinely edit comment submissions to remove such information before making the comment submissions available to the public or entering the comment submissions into ADAMS.

## **II. Further Information**

The NRC is issuing for public comment a draft guide in the NRC's "Regulatory Guide" series. This series was developed to describe and make available to the public such information as methods that are acceptable to the NRC staff for implementing specific parts of the NRC's regulations, techniques that the staff uses in evaluating specific problems or postulated accidents, and data that the staff needs in its review of applications for permits and licenses.

The draft regulatory guide, entitled, "Initial Test Programs for Water-Cooled Nuclear Power Plants," is temporarily identified by its task number, DG-1259. The DG-1259 is proposed revision 4 of Regulatory Guide (RG) 1.68, dated March 2007.

This guide describes the general scope and depth that the NRC staff considers acceptable for ITPs for light water cooled nuclear power plants. This RG is being revised to address design qualification tests for new design certifications (DCs) and combined licenses (COLs) using the requirements in part 52 of Title 10 of the *Code of Federal Regulations* (10 CFR), "Licenses, Certifications, and Approvals for Nuclear Power Plants." This RG is also being revised to add some preoperational, low-power and power ascension tests for new light

water reactors (LWRs) licensed under 10 CFR Part 52. In addition, this RG is being revised to add new and updated references.

The DG has 3 appendices. Appendix A addresses the specific tests recommended or required for the ITPs. Appendix B provides information about ITP-related inspections that the NRC staff will perform, including the appropriate regional office staff. Finally, Appendix C contains guidance on the preparation and content of procedures for preoperational, fuel loading, initial criticality, low power, and power ascension tests.

### **III. Backfitting and Issue Finality**

As discussed in the “Implementation” section of this regulatory guide, the NRC has no current intention to impose this regulatory guide on holders of current operating licenses or combined licenses. Accordingly, the issuance of this regulatory guide would not constitute “backfitting” as defined in 10 CFR 50.109(a)(1) of the Backfit Rule or be otherwise inconsistent with the applicable issue finality provisions in 10 CFR Part 52.

This regulatory guide may be applied to applications for operating licenses and combined licenses docketed by the NRC as of the date of issuance of the final regulatory guide, as well as future applications for operating licenses and combined licenses submitted after the issuance of the regulatory guide. Such action would not constitute backfitting as defined in 10 CFR 50.109(a)(1) or be otherwise inconsistent with the applicable issue finality provision in 10 CFR Part 52, inasmuch as such applicants or potential applicants are not within the scope of entities protected by the Backfit Rule or the relevant issue finality provisions in Part 52.

Dated at Rockville, Maryland, this 30<sup>th</sup> day of November, 2012.

For the Nuclear Regulatory Commission.

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